



#### **Background Information** about the Tribe

- Located in rural northeastern Montana, the Fort Peck Assiniboline and Sioux Reservation is home to two separate Indian nations, the Assiniboline and Sioux. The Fort Peck Indian Reservation was created in 1889 through an agreement with the United States Government. The Constitution and by-laws of the Tribes was adopted in 1956. It is the 9% largest Indian reservation in the United States and comprises parts of four counties: Roosevelt, Valley, Daniels, and Sheridan. The reservation covers over 2 million acres of land and has an estimated population of 12,000 enrolled members (half of which reside on the reservation). Nearly half of their enrolled members are below the age of 18\*).

  The Fort Peck Tribes have a high unemployment rate and high poverty rate.

  Unemployment has stayed in the 50 percent range for 10 years. Poverty is at 49% with 46% of families with children below the poverty level. 60% of these poor families have female heads of households. The Bureau of Indian Affairs, June 2003, reports that 2,720 children are under the age of 18

#### What is SORNA

SORNA refers to the Sex Offender Registration and Notification Act which is Title I of the Adam Walsh Child Protection and Safety Act of 2006 (Public Law 109-248). SORNA provides a comprehensive set of minimum standards for sex offender registration and notification in the United States. SORNA aims to close potential gaps and loopholes that existed under prior law and generally strengthens the nationwide network of sex offender registration and notification program.

#### Fort Peck Tribes SORNA Team

- Patty McGeshick- Director Family Violence Resource Center
- Coleen Clark- Administrative Assistant (Family Violence Resource Center)
- Roosevelt County Sheriff Freedom Crawford
- Lawrence Hamilton CASOM Training Officer
- Melvin Clark Roosevelt County Detentions Supervisor
- Bruce Bauer Fort Peck Tribes Compliance Officer
- Edison Tapaha Fort Peck Tribes Compliance Officer
- U.S. Marshal
- Tom Escarceaa Ir.- Tribal Probation
- Mike Eliason Federal Probation Officer

# SORNA Team involvement

- Since it's inception, the SORNA team has been actively involved with.
- MDT (Multi Disciplinary Team) Monthly organization comprised of various State, Tribal and Federal agencies with a common goal working towards better information sharing and cooperative/collaborative efforts.
- Ft. Peck Tribes Injury Prevention Program
- Montana ICAC (Internet Crimes Against Children)

Implementation History

#### Historical overview of Sex offender management On the Fort Peck Indian Reservation

1999-2000: Fort Peck Tribes are awarded a planning grant from the Center for Sex Offender Management to develop collaboration and a plan for implementing sex offender registry.

A team was created under a Memorandum of Understanding that identified each role and responsibility of the team member.

A planner was hired whose task was to develop a system map and identify sex offenders on the Reservation

The team identified 56 sex offenders both in prison and living in reservation communities.

A system map was developed that identified key individuals and agencies with

- communities.

  A system map was developed that identified key individuals and agencies with responsibility to victims and offenders.

  Lifetime registration requirements enacted by the Fort Peck Tribes.

  New MOU signed with Roosevelt County Sheriff's office for tribally convicted sex offender registration, DNA, palm prints.

  New amendments to the Comprehensive Code of Justice to comply with SORNA.

  Tribal Sex Offender registry forms developed.

  Tribal Sex Offender Registry implemented, TTSOR and Tribal website.

## Implementation of SORNA Packet (Table of Contents)

- A. Tribal Historical Background Information and Criminal Justice
- C. Fort Peck Tribes Amended Sex Offender Code
- - 1. Fort Peck Tribes Sex Offender Registry and S.O.R.N.A.
  - 2. Montana State Sex Offender Registration Forms
  - 3. Fort Peck Tribes Sex Offender Registry Forms

- Sex Offender Registration Update Form
- Sex Offender Registration Form

- Comprehensive Code of Justice at Tribal Court

- G. Tribal Authorized Registering Agents

# **Brief History**

- The Fort Peck Tribes along with the Roosevelt County Sheriff's Office signed a MOU in 2008.
  The Roosevelt County Sheriff's Office was the primary jurisdiction for registering Sex Offenders on the Fort Peck Indian Reservation.
- The Fort Peck Tribes hired a Compliance Officer in October of 2008 to make sure all Sex Offenders where compliant with the Adam Walsh Act of 2006.
  The Fort Peck Tribes hired two more Compliance Officers in November of 2010
- The Fort Peck Tribes implemented SORNA in December of 2010 to be in compliance of the Adam Walsh Act of 2006.

## History of Fort Peck Tribes CASOM Training and Technical Assistance

- The Tribes became technical assistance to other Tribes

- Presenting at the Montana/Wyoming Tribal Judges Conference In Billings
- Hosting a conference in Billings specifically geared towards implementing SORNA in Indian Country.

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- The SMART Office was authorized by the Adam Walsh Child
- administer the standards for the Sex Offender Registration and Notification Program set forth in Title  $1\,$  of the Adam Walsh Act;
- Administer grant programs relating to sex offender registration and notification authorized by the Adam Walsh Act and other grant programs authorized by the Adam Walsh Act and other grant programs authorized by the Adam Walsh Act as directed by the Attorney General; cooperate with and provide technical assistance to states, the District of Columbia, principle U.S. territories, units of local government, tribal governments, and other public and private entities involved in activities related to sex offender registration or notification or to other measures for the protection of children or other members of the public from sexual abuse or exploitation; and
- perform such other functions as the Attorney General may delegate.

## States and Tribes have until July 26, 2011 to implement SORNA

- If a Tribe elects to comply with the Act, it will be required to maintain a sex offender registry.

  The Tribe shall also be required to comply with the notification requirements established in the Act and maintain a web site making sex offender registry available to the public.

  Tribes that opt in will also have the option of collaborating with other jurisdictions to share the burdens of maintaining a sex offender registry.

- ☐ If a Tribe fails to pass a resolution by the July 26, 2011 deadline, the Tribe will have lost its opportunity to participate, and the state will be given the jurisdiction to come onto tribal land to enforce the law.

  ☐ As of now only Guam, States of Ohio, Delaware, South Dakota, and Florida, the Confederate Tribes of the Umatilla Indian Reservation, and the Confederate Tribes and Bands of the Yakima Nation as jurisdictions that have implemented SORNA.

#### **TTSORS**

• The <u>Tribe and Territory Sex Offender Registry System</u> (TTSORS) is a fully functioning system that complies with SORNA requirements. TTSORS was created to assist the 197 Indian tribes that have elected to implement SORNA and the 5 principal U.S. territories by effectively removing the technical difficulties of implementing SORNA requirements. It includes a customizable public website and a private administrative website for managing sex offender information. Most of Indian Country and the U.S. territories already have the resources they need to use TTSORS—a single computer with Internet access.



# SORNA CONVICTIONS

- The Fort Peck Tribes have convicted 10 individuals in Tribal
- Court for Feck Tribes have convicted 10 individuals in Tribal Court for Failure to Register as a Sex Offender since 2008 (with others pending).

  All individuals that were convicted in Tribal Court were turned over to the US Marshals for prosecution. Three were convicted Federally under SORNA.

# Fort Peck Tribal Code

- General Matters

  Sec. 801. Title.

  This ordinance shall be known as the Sex Offender and Violent Offender Registration Ordinance of the Fort Peck Titles.

  Sec. 802. Purpose.

  The intent of this ordinance is to implement the federal Sex Offender Registration and Notification Act (SORNA) (Title 1 of Public Law 109-248) and shall be interpreted liberally to comply with the terms and conditions of SORNA persently written or hereafter memerded. In addition, this ordinance is to implement the Violent Offender statute of the Fort Peck Tribes.

  Sex Offender Registry. There is hereby established a sex offender registry, which the Fort Peck Tribes, the field discretion, shall mointain and operate pursuant to the provisions of this ordinance, as amended. The Fort Peck Tribes, the Medicarefox, shall mointain and operate pursuant to the provisions of this ordinance, as amended. The Fort Peck Tribes, in their discretion, shall mointain the registry in conjunction with the Montana Department of Justice and Roosevelt County.

SORNA REGISTRY REQUIREMENTS  - All sexual offenders shall register AND keep the registration current, in EACH jurisdiction where the offenders - RESIDES - WORKS - and is a STUDENT	
Upon Release From Custody  • Additionally, all sexual offenders initially register in the jurisdiction in which they were convicted of the original/instant offense if that jurisdiction is different than the one in which they reside, work, or attend school.	
Fort Peck Tribes Registration Forms	

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Business NotificationForm
Caste: Tuenday, August 23, 2011
(Business Name) (Address) (CITy State Tip)
Dear (Business Contact)
My name is (1) an a Compliance Officer with the Fort Peck Tribes SCHMA, in charge of the Sec Offender Replanation and Notification Usat. I am contacting you to inform you are some recent changes in the Fort Peck Tribes CCDI.
The first that Them record for information and belief Orderine Ingertized (California, up are resolution (ICA) (2005 CEQ), a sent in sent information registers used the the Alex Wildows (ICA) (2005 CEQ) (200
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Testinating as an employer, you are not obligated to apport a person as an effective in the Police Department, between, you are not obligated to subsite your existing of extra employers to the first that they are subject to the requirements of the Cort Next Tibus Secual Officer's Registration Ordination. In addition, but the last is engine and the health Department and these the registrations of instruction and think, but the last is engine and the health Department and these are registrated uniform.
If you believe you have an effender employed by you and want to weelly their reporting status, or you have any questions regarding the Sex Offender Registration Code or the registration process you may contact no directly.
A current list of registered sex offenders residing, working, or going to school with the boundaries of the reservation can be viewed on our web site at Into /flat.org
If you have any ourstions or concerns, please do not healths to contact us:
Lawrence Hamilton - H066 650 8000
Edica Tacata - HOS 652.77M

SEX OFFENDER ACKNOWLEDGEMENT FORM
1. I have been given a copy of the Fort Peck Tribes CCOJ Sexual and Wolent Offender Registration Ordinance
2. Individuals who have been convicted of a qualifying sex offense as outlined in the CCOI Sexual Offender
Registration Code or the federal Sex Offender Registration and Notification Act must immediately appear at the
Roosevelt County Sheriff's Office, or the Fort Peck Tribal Courts in person and register as a sex offender if:
a. They were convicted by the tribe of the qualifying offense, b. They were incarcerated by or with the tribe for the qualifying offense.
<ul> <li>in any were incarcerated by or even the true for mile guarrying othersia;</li> <li>They reside within the exterior boundaries of the reservation or otherwise reside on property: owned by</li> </ul>
the tribal lundiction in fee or trust reservations of location.
d. They are employed including volunteer work! by the tribe in any capacity or otherwise are employed
within the exterior boundaries of the reservation or on property owned by the tribe in fee or trust
regardless of location, or
e. They are a student, in any capacity, within the exterior boundaries of the reservation or on property
owned by the tribe in fee or trust regardless of location.
<ol><li>Sex offenders required to register with the tribe shall complete a sex offender registration form and shall</li></ol>
otherwise provide the tribal police department with the following information: criminal history, date of birth, DNA namoles, driver's licenses, identification cards, passports, and immigration documents, employment information.
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neger and parm prints, internet identifiers, name, prione numbers, picture, projucia description, professional Sometime information, address (residential and maillest, school information social security number, termocrary
lodging information, conviction offerse information, and vehicle information.
4. Pursuant to tribal and federal laws, anyone who is required to register with the tribe shall do so in the following
timeframe:
a. If incarcerated, before release from imprisonment for the registration offense,
b. If not incarcerated, within 3 business days of sentencing for the registration offense, and
c. For foreign, federal, and military convictions, a sex offender must appear in person at the tribal police department within 3 business days of establishing a residence on the reservation or tribal property after
either release from incarceration or, if not incarcerated, sentencing for our popular with the
CCDI Sexual Offender Registration Code or the federal Sex Offender Registration and Notification Act.
5. All sex offenders required to register with the tribe must immediately appear at the Roosevelt County Sheriff's
Office, or the Fort Peck Tribal Courts in person to update any change in their name, residence (including
termination of residence), employment, school attendance, vehicle information, temporary lodging, email
addresses, telephone numbers, instant Messaging addresses, and any other designation used in internet communications, postine, or telephone conversations. In the event of a change in temporary lodeine, the sex
communications, potting, or telephonic conversations. In the event or a change in temporary longing, the sex offender that immediately notify the jurisdiction in which the use offender will be temporarily staving.
<ol><li>All sex offenders who are employed by the tribe in any capacity or otherwise are employed within the exterior</li></ol>
boundaries of the reservation or on property owned by the tribe in fee or trust regardless of location that change or terminate their employment shall immediately appear in person at the tribal police department to update that
or terminate trace employment shall immediately appear in person at the tribial police department to update that information
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SEXUAL OFFENDER CHECKIST FORM	
ALL INFORMATION INSCRIDED (parmed into a grid document and housed in an electronic file)  ALL INFORMATION INTERED IN TO MATIONAL TRIBAL SEX OFFENCES DATAMAGE.	
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Registered Sex Offenders	
For more offender information visit: http://fptc.org	
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Poplar, NT. 59225	
and the second s	
Openia (	
Fort Peck Tribes Sex Offender Request Form	
Date: Offender Name	
Ottonder Name Offender Adviess Offender City, State, Zip	
Dear (Offender Name)  The For Pock These has received information regarding your conviction for (Conviction Code Description), Scrizion (Conviction Code) on (Date of Conviction).	
The Fort Pick Tribes enacted the Sexual Offlender and Violent Offender Registration Ordinance, as per resolution NO. 15-5-201-0.1, in ordier to result in the Tribes' coveraging to per size offlender registrice under the Adam Wilsh. Art. Tallers do so would have resulted in the Medical generating starting that	
authority to the State.	
Both CCDI and the Adem Validh Act are intractable in column. This means that even if you previously complicately your conditions of probations and egispancin, you may still be required to re-register. Failure to comply with the CCDI will result in tribal and/or federal criminal prosecution.	
Requirement of the first Prior Time Seaso Offinder Offinions, require as qualifying sexed offinions who reside, see employed, entitled only on vital the seasonship of seasonship of the register with the Times. The first Note Times Resolution No. 1144-2010-27, uncertakes that you appear to register vital recordance for the seasonship one of three manadises appearations. See excluded.	
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to Registral to register. Peace bring identification and supporting documentation to registration.  If you are unable to attend the registration or have questions about the registration process, please contact the Complicate Officers:	
Existin 1991a - (406) 650.4794  Bruce Baser - (406) 650.4037	

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Keeping Registration Current	
Within 3 days of any change in residence, employment, or	
educational location/student status, all sex offenders must REPORT IN PERSON in at least one of the jurisdictions effected	
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Periodic Registration Requirements	
All sex offenders shall appear in person in each jurisdiction	
not less than the following: • Tier III Sex Offenders - every 3 months;	
* Tier II Sex Offenders - every 6 months; * Tier I Sex Offenders - every year.	

Length /	Duration of	f Registration	Requirement
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- All sex offenders shall keep the registration current for the full registration period (unless in custody or civil commitment) as

# Challenges

- Lack of equipment (i.e. Live Scan fingerprint scanner, office space, printers etc.)
   Vehicles
- Limited number of Tribal Members having home computers and internet access

- Lack of notification to community members

  Lack of transportation by offenders to register

  Challenges to Tribal requirements (John "Duck" Clark)

  Number of Non-Tribal Sex Offenders moving onto the Reservation (i.e. Man Camps, Oil boom, related work to oil industry)

• Questions?